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Federal Communications Commission
Office of Secretary

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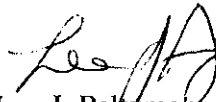
Mr. Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
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445 12th Street, SW
Washington, D.C. 20554

**Re: Counterproposal
MB Docket No. 05-98
RM-1187**

Dear Ms. Dortch:

Transmitted herewith, on behalf of Keyhole Broadcasting, LLC and Mount Rushmore Broadcasting, Inc., is an original and four (4) copies of their Counterproposal in the above-referenced rule making proceeding. Please contact undersigned counsel should the Commission have any questions with respect to this filing.

Sincerely,



Lee J. Peltzman
Counsel for

KEYHOLE BROADCASTING, LLC and
MOUNT RUSHMORE BROADCASTING, INC.

LJP/kdm

Enclosure

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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 05-98
Table of Allotments)	RM-11187
FM Broadcast Stations)	
(Wheatland, Wyoming))	

To: Office of the Secretary
Attn: Assistant Chief, Audio Division
Media Bureau

COUNTERPROPOSAL

KEYHOLE BROADCASTING, LLC
MOUNT RUSHMORE BROADCASTING, INC.

Lee J. Peltzman
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Their Counsel

May 5, 2005

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SUMMARY

The Joint Petitioners propose to provide a first local service to Edgemont, South Dakota and Ellsworth Air Force Base, South Dakota. As such, their counterproposal should be favored under the Commission's allotment policies over the proposal contained in the Notice of Proposed Rule Making, 05-652 (rel. March 14, 2005), which would add only a fifth service to Wheatland, Wyoming. Other changes are proposed in the counterproposal to vacant allotments, to a construction permit, whose permittee has consented to the change, and to the application of an auction winner who has also consented its allotment. Ellsworth Air Force Base clearly is independent of its urbanized area's central city, much like other military bases which have been approved by the Commission under the *Tuck* criteria.

**Before The
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(Wheatland, Wyoming))	

To: Office of the Secretary
Attn: Assistant Chief, Audio Division
Media Bureau

COUNTERPROPOSAL

Keyhole Broadcasting, LLC ("Keyhole"), licensee of Station KXXL(FM), Gillette, Wyoming and Mount Rushmore Broadcasting, Inc. ("Rushmore"), licensee of Station KAWK(FM), Custer, South Dakota (together, the "Joint Parties"), by their counsel, hereby submit this counterproposal to the *Notice of Proposed Rule Making*, DA 05-652 (rel. March 14, 2005) ("*NPRM*") in the above-captioned proceeding. The Joint Parties propose a number of changes to the FM Table of Allotments which, taken together, will provide first local service to two communities and substantially increase service to many listeners. The following amendments to the FM Table of Allotments are requested (listed alphabetically):

<u>City</u>	<u>Current</u>	<u>Proposed</u>
Custer, SD	286C ¹	---
Edgemont, SD	---	289C ¹
Murdo, SD	285A	283A ²
Ellsworth AFB, SD	---	285C
Wall, SD	288C	299C

¹ Station KFCR(AM) is also licensed to Custer, South Dakota.

² College Creek Broadcasting, LLC ("College Creek"), successful bidder for Channel 285A, Murdo, South Dakota, has filed an application for Channel 285C0 at Murdo. The instant proposal would substitute Channel 283A in the FM Table of Allotments and, in the event College Creek's upgrade application is granted, would substitute Channel 283C0 at Murdo.

Gillette, WY	245C1, 264C1, 280C2	245C1, 260C2, 264C1
Moorcroft, WY	228A	291A
Pine Haven, WY	260A	256A
Upton, WY	283A, 290C1	228A, 283C1
Wheatland, WY	269A, 289A, 293C1 ³	269A, 293C1, 298A

I. PRELIMINARY MATTERS

1. It will be necessary that the permit of the new FM station at Moorcroft, Wyoming (BNPH-20050103AGC) be modified to reflect the substitution of Channel 291A for Channel 228A at its authorized site. Family Voice Communications, Inc. ("Family Voice"), permittee of the Moorcroft station, has furnished a statement consenting to the channel substitution, a copy of which is attached as Exhibit 1. In addition, it will be necessary that Channel 283A be substituted for Channel 285A at Murdo, South Dakota⁴ and that, in the event the application filed by high auction bidder, College Creek, for Channel 285C0 is granted, Channel 283C0 be substituted at the application site. College Creek has also furnished a statement consenting to the channel substitution (attached as Exhibit 1) and is in the process of amending its application to request a change to Channel 283C0 in lieu of Channel 285C0 at its site. In the event Family Voice or College Creek construct their stations on their presently authorized channels, Keyhole hereby states that it will reimburse each of them for their expenses in making changes in their station facilities in accordance with the Commission's policies. *See Circleville, Ohio*, 8 FCC 2d 159 (1967). If this counterproposal is granted, Keyhole will file both an application to modify the license of KXXL to specify operation on Channel 260C2 at Gillette, as well as an application to construct a new station at Edgemont, South Dakota, and Rushmore will file an application to

³ Station KYCN(AM) is also licensed to Wheatland, Wyoming.

⁴ The presently vacant allotment would change from Channel 285A to Channel 283A. The proposed channel may be substituted regardless of whether College Creek eventually becomes the licensee. The proposed channel substitution also complies with the reference coordinates for the vacant Murdo allotment as well as the spacing requirements to all preferred allocation sites specified by Murdo applicants (there were none).

modify the license of KAWK to specify operation on Channel 285C at Ellsworth Air Force Base ("Ellsworth AFB"). Each of the Joint Petitioners will construct their authorized facilities.

II. CONFLICT WITH THE *NPRM*

2. As indicated in the attached Engineering Statement, this proposal conflicts with the *NPRM* proposal to allot an additional new channel, Channel 298A to Wheatland, Wyoming, due to the proposed substitution of Channel 298A for existing Channel 289A at Wheatland. The conflict arises because Channel 298A cannot be allotted as both an additional service and as a substitute service. This Counterproposal should be preferred under the Commission's priorities over the Wheatland proposal. The Commission should favor first local service at Edgemont, South Dakota (2000 U.S. Census pop. 867) and Ellsworth AFB (2000 U.S. Census pop. 4,165) over a fifth local service to Wheatland, Wyoming (2000 U.S. Census pop. 3,548) under its FM priorities. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982). This counterproposal would also create a net increase in 60 dBu service to 65,283 persons.

III. COMPLIANCE WITH THE COMMISSION'S TECHNICAL RULES

A. CHANNEL 289C1, EDMONT, SOUTH DAKOTA

1. Technical Analysis.

3. As demonstrated in the attached Engineering Statement, Channel 289C1 can be allotted to Edgemont, South Dakota as a first service, consistent with Section 73.207 of the Commission's rules, provided that changes are made at Upton and Wheatland, Wyoming and Wall and Custer, South Dakota. *See Exhibit E, Figure 1.* These changes, and the other modifications they require in turn, will be discussed below. A 70 dBu signal will be provided to Edgemont from the proposed site. *See Figure 2.* The allotment of Channel 289C1 will result in new 60 dBu service to a total of 22,394 persons. *See Figure 3.*

2. Community Status.

4. Edgemont, South Dakota is a "community" for allotment purposes. Edgemont is listed in the 2000 U.S. Census with a population of 867 persons and, therefore, is presumed to have the status of a community for allotment purposes. *See Arnold and Columbus, California*, 7 FCC Rcd 6302 (1992). It enjoys the attributes that the Commission traditionally associates with a community. Edgemont has its own unique history and identity. Located in Fall River County, according to the Edgemont Chamber of Commerce website Edgemont is primarily a ranch town. It is home to the Edgemont Depot of the Burlington Northern Santa Fe Railroad. The town was formed by the Lincoln Land Company, a subsidiary of the Chicago, Burlington, and Missouri Railroad, in 1890. The name Edgemont derives from the fact that the town is located on the southern edge of the Black Hills Mountains. The current mayor of Edgemont is Mark Hollenback. As noted, Edgemont has a Chamber of Commerce. It is home to a weekly newspaper, The Edgemont Herald Tribune, and has its own public library, medical clinic, elementary school and school district, theater company (the Edgemont Theatre Company), golf and racquet club, two churches (Edgemont Baptist Church and Assembly of God), municipal airport and a number of businesses, many of which contain Edgemont in their title, such as Edgemont Community Grocery, Edgemont City Shop, Ranchers Feed-Edgemont and Edgemont Memorial Clinic. The zip code assigned to Edgemont is 57735. *See Exhibit 2.*

B. VACANT CHANNEL 290C1, UPTON, WYOMING

5. In order for Channel 289C1 to be allotted to Edgemont, vacant Channel 290C1, Upton, Wyoming must change to Channel 283C1. Channel 283C1 can be allotted to Upton with a change in the allotment's current site coordinates in compliance with the Commission's spacing rules provided that further changes are made at Upton and Gillette, Wyoming, as discussed

below. *See* Figure 4. From this site, a 70 dBu signal will be provided to Upton. *See* Figure 5. The allotment of Channel 283C1 to Upton will result in a net gain in 60 dBu service of 15,756 people. *See* Figure 6.

C. VACANT CHANNEL 283A, UPTON, WYOMING

6. In order to allot Channel 283C1 at Upton, vacant Channel 283A, Upton, must change to Channel 228A. Channel 228A can be allotted to Upton with a change in allotment coordinates in compliance with the Commission's spacing rules provided that a change is made at Moorcroft, Wyoming as discussed below. *See* Figure 7. From this site, a 70 dBu contour will be provided to Upton. *See* Figure 8. The allotment of Channel 228A to Upton will result in a net gain in 60 dBu service to 1,113 people. *See* Figure 9.

D. BNPH-20050103AGC, CHANNEL 228A, MOORCROFT, WYOMING

7. In order to allot Channel 228A to Upton, the new Moorcroft, Wyoming station, currently authorized to operate on Channel 228A, must be modified to operate on Channel 291A. Channel 291A can be allotted at the tower site contained in the construction permit issued to Moorcroft permittee, Family Voice. *See* Figure 10. As noted, Family Voice has consented to this channel change. Also, Keyhole reiterates that, to the extent required by applicable Commission rules and policies, it will reimburse Family Voice and other licensees of effected stations for their expenses incurred in making those changes required to be made to their facilities.

E. STATION KXXL, CHANNEL 280C2, GILLETTE, WYOMING

8. In order to allot Channel 283C1 to Upton, Wyoming, Station KXXL, Gillette, Wyoming, currently operating on Channel 280C2, must be modified to operate on Channel 260C2. Channel 260C2 can be allotted to Gillette at the station's current coordinates in compliance with the

Commission's spacing rules provided that a change is made at Pine Haven, Wyoming. *See* Figure 11. This change will be discussed below.

F. VACANT CHANNEL 260A, PINE HAVEN, WYOMING

9. In order to allot Channel 260C2 to Gillette, Wyoming, vacant Channel 260A, Pine Haven, Wyoming must change to Channel 256A. Channel 256A can be allotted to Pine Haven at the allotment's current coordinates in compliance with the Commission's spacing rules. *See* Figure 12.

G. VACANT CHANNEL 288C, WALL, SOUTH DAKOTA

10. In order to allot Channel 289C1 to Edgemont, South Dakota, vacant Channel 288C at Wall, South Dakota must change to Channel 299C. Channel 299C can be allotted to Wall at the allotment's current coordinates in compliance with the Commission's spacing rules. *See* Figure 13.

H. STATION KAWK, CHANNEL 286C1, CUSTER, SOUTH DAKOTA

11. In order to allot Channel 289C1 to Edgemont, South Dakota, Station KAWK(FM), currently operating on Channel 286C1, must be modified to operate on Channel 285C and relocate from Custer to Ellsworth AFB, South Dakota, as that community's first local service.

1. Technical Analysis.

12. As indicated in the attached Channel Study, Exhibit E, Figure 14, Channel 285C can be allotted to Ellsworth AFB in compliance with the Commission's spacing rules provided that changes are made at Murdo, South Dakota. *See* Figure 14. Those changes are discussed below. From the proposed site, the station will provide a 70 dBu signal to Ellsworth AFB. *See* Figure 15.

2. Change in Community of License

13. The relocation of KAWK from Custer to Ellsworth AFB complies with the Commission's policy enunciated in *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990) ("*Community of License*"). In *Community of License*, the Commission stated that in order to grant a change in community of license: (1) the proposed use of the channel must be mutually exclusive with its current use; (2) the existing community of license must retain local service; and (3) the proposed arrangement of allotments must be preferred over the existing arrangement under the Commission's allotment priorities.

14. Here, the attached channel study, Figure 14, demonstrates that the proposed allotment of Channel 285C at Ellsworth AFB is mutually exclusive with the current allotment of Channel 286C1 at Custer. Second, Custer will retain existing service because Station KFCR(AM) will remain licensed to Custer. And, the provision of first local service at Ellsworth AFB (Priority 3) is preferred over the retention of a second local service at Custer (Priority 4). *See Revision of FM Assignment in Policies and Procedures, supra.*

15. The Commission has repeatedly held that military bases may be treated as communities for allotment purposes. *See Newcastle, Pine Haven, Warren AFB, Centennial, Casper, Wright, Douglas and Kaycee, Wyoming, Rapid City, South Dakota and Gering and Scottsbluff, Nebraska*, 19 FCC Rcd 10976 (2004) ("*Newcastle*") ("*Warren Air Force Base*"); *Johannesburg and Edwards, California*, 15 FCC Rcd 15801 (2000) (Edwards Air Force Base); *Bon Air, Chester, Mechanicsville, Ruckersville, Williamsburg and Fort Lee, Virginia*, 11 FCC Rcd 5758 (1996) (Fort Lee); *Fort Rucker and Geneva, Alabama and Blakely, Georgia*, 5 FCC Rcd 37 (1990) (Fort Rucker). Indeed, in *Newcastle* and *Bon Air*, the Commission held that the bases in

question were sufficiently independent of the central cities in their urbanized area to warrant a first local preference under the criteria set forth in *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) ("*Tuck*"). That analysis governs this case as well.

16. Ellsworth AFB is located within the Rapid City Urbanized Area. Therefore, this relocation implicates the Commission's policy concerning the migration of stations from rural to urban areas. See *Elizabeth City, North Carolina and Chesapeake, Virginia*, 9 FCC Rcd 3586 (1994); *Tuck, supra*. Accordingly, a *Tuck* showing is included in order to demonstrate the independence of Ellsworth AFB from Rapid City. Under *Tuck*, in making the determination whether to award an urbanized community a first local service preference, the Commission considers the extent to which the station will provide service to the entire Urbanized Area, the relative populations and proximity of the suburban and central city, and, most importantly, the independence of the suburban community. *Tuck*, 3 FCC Rcd at 5377-78. In this case, from the proposed transmitter site, KAWK would place a 70 dBu contour over a majority of the Rapid City Urbanized Area. The population of Ellsworth AFB (2000 U.S. Census pop. 4,165) is 7% of that of Rapid City (2000 U.S. Census pop. 59,607). Ellsworth AFB is located in Meade and Pennington Counties approximately 16 kilometers from Rapid City which is located in Pennington County. These figures are similar to or exceed those of other communities granted a first local preference. See *Malvern and Bryant, Arkansas*, 14 FCC Rcd 3576 (1999); *Ada, Newcastle and Watonga, Oklahoma*, 11 FCC Rcd 16896, 16899 (1996); *D'Iberville and Wiggins, Mississippi*, 16 FCC Rcd 10796 (1995). Nevertheless, the Commission has repeatedly stated that these factors are less important than evidence of a community's independence. See *Headland, Alabama and Chattahoochee, Florida*, 10 FCC Rcd 10352 (1995).

17. The Commission does not require that all eight *Tuck* factors favor the independence of the suburban community. A majority of the factors is sufficient for a finding of independence. *Jupiter and Hobe Sound, Florida*, 12 FCC Rcd 3570 (1997); *Parker and Port St. Joe, Florida*, 11 FCC Rcd 1095 (1996). And, in this case, a majority of the *Tuck* factors demonstrates the independence of Ellsworth AFB from Rapid City

(1) Extent to which the residents of Ellsworth AFB work on the Base.

According to U.S. Census data, the population of Ellsworth AFB is 4,165 persons. According to the Ellsworth AFB Economic Impact Statement, as of September 30, 2004, there were 4,130 active duty military personnel assigned to Ellsworth AFB. A total of 5,704 persons (2,347 military personnel and 3,357 dependants) reside at Ellsworth AFB. Using these figures, over 57% of residents work in their place of resident. That number is confirmed by 2000 Census figures, which show that 1,587 out of 2,287 individuals residing at Ellsworth AFB, or over 60%, work in their place of resident. See Exhibit 3.

(2) Newspapers and other media cover Ellsworth AFB's needs and interests. The *Black Hills Bandit* is Ellsworth AFB's weekly newspaper. The newspaper is staffed by the 27th Wing Public Affairs. It has a circulation of over 5,500. The paper maintains its own web page at www.blackhillsbandit.com/news. By accessing the web page, Ellsworth AFB residents may access a wide variety of facts and events concerning Ellsworth AFB, including information regarding officials, services, public meetings, Base development, job opportunities and community events. (Job openings are also published on the Ellsworth AFB website at www.ellsworth.af.mil.) The

newspaper also contains advertising for products and services offered on the Base. See Exhibit 3.

(3) *Community leaders and residents perceive Ellsworth AFB as being separate from Rapid City.* As would be expected of a military base, Ellsworth AFB has its own unique identity and history that are separate from those of the community of Rapid City. Ellsworth AFB has a long history as a former bomber base and as a current active combat wing of the air force. It is named after Brigadier General Richard D. Ellsworth, Commander of the 28th Strategic Reconnaissance Wing, who lost his life in a March 1953 accident while returning from a routine exercise in Europe. Ellsworth AFB opened on January 2, 1942 as a training center for B-17 Flying Fortress crews. It was shut down briefly immediately after World War II but resumed operations in March 1947 when it was assigned the new 28th Bombardment Wing. The Base was declared a "permanent installation" in early 1948. Recently, in March 1999, the Air Force announced a reorganization plan that makes Ellsworth AFB and the 28th Bomb Wing partners in a new Expeditionary Air Force concept. Under the plan, Ellsworth AFB will gain about 150 more military personnel. Ellsworth AFB includes the following military organizations: 28th Bomb Wing, which is comprised of the 28th Operations Group (itself comprised of the 34th Bomb Squadron, 37th Bomb Squadron and 28th Operations Support Squadron), the 28th Mission Support Group, the 28th Medical Group and the 28th Maintenance Group. See Exhibit 3.

(4) Ellsworth AFB has its own local government. Because Ellsworth AFB is a military installation, the normal structure of civilian government does not exist. While Ellsworth AFB does not have elected officials, it does have its own officials and government. The Air Force appoints a commander for the Base. The current commander of Ellsworth AFB is Colonel Joseph D. Brown, IV. Though the Base is under a military command structure, it offers services similar to those that are offered in civilian communities, such as housing, water, sewer, maintenance, public works, parks and recreation and also offers medical, legal and library services. *See Exhibit 3.* Among the federal agencies that are located on Ellsworth AFB include the Federal Aviation Administration, the U.S. Army Corp. of Engineers, the Defense Security Service Administration and the Immigration and Naturalization Service. *Id.*

(5) Ellsworth AFB has its own zip code and separate internal telephone directory listings. The zip code designated for Ellsworth AFB is 55706. While, as is typical with military bases, it does not have its own telephone book provided by a local telephone company, military and business listings for Ellsworth AFB are found in an internal telephone directory provided to residents. *See Exhibit 3.*

(6) Ellsworth AFB has its own commercial establishments and health facilities. There are officers and enlisted clubs, a Base exchange, an auto maintenance and repair center, a Base dining facility and other restaurants, grocery stores, a gift shop, bank and credit union, service stations, flower shop, bowling center, barber and beauty shops, dry cleaners, thrift shop, and an optical store on Base. Transient personnel can stay at one of three facilities on Ellsworth

AFB: The Pine Tree Inn, The Aspen Inn and The Cedar Inn. Base housing consists of 1,846 units, 818 which are Air Force owned and 1,028 which are section 801 "Billed Lease" units. There are also 742 rooms available in six dormitories. *See Exhibit 3.*

Healthcare on Ellsworth AFB is provided by the 28th Medical Group, a medical treatment facility which offers a full range of medical and dental specialties. The facilities include a dental clinic, family practice clinic, life skills support center, physical therapy clinic, Health & Welfare Center, a public health clinic and an optometry clinic. It also offers diagnostic imaging services. Health & Wellness Center programs offer awareness, education and intervention programs about topics such as nutrition, weight management, tobacco cessation and stress management. Ellsworth AFB also offers veterinary services. *See Exhibit 3.*

Two chapel centers (Freedom Chapel and Black Hills Chapel) and the Chapel Activities Center handle religious needs on Ellsworth AFB. Regular worship services are held on the base for Catholic and Protestant personnel. *See Exhibit 3.*

The Office of Judge Advocate provides legal services to commanders on all matters affecting the installation and its mission. Ellsworth AFB Law Center provides legal advice and assistance on a variety of issues to active-duty members and their dependants as well as military retirees. The Ellsworth AFB Legal Office also provides a full service income tax center for active-duty members, military retirees and their dependants. *Id.*

(7) *Ellsworth AFB is a separate and distinct advertising market from Rapid City.* Businesses may advertise in the *Black Hills Bandit*, which enables them to directly reach the residents of the Base. Residents may also access the *Black Hills Bandit* web page to learn about community events and news. Also, residents may learn about job openings by accessing the main web page for Ellsworth AFB. Thus, the residents of Ellsworth AFB do not need to seek out Rapid City media sources in order to find out what is happening in their community.

(8) *Ellsworth AFB has its own library and its police and fire protection are provided independent of any other jurisdiction.* Ellsworth AFB operates a library for its residents. The library is open Monday through Sunday, 56 hours per week. It has a meeting room, computer and internet access and books-on-tape and DVD collections. *See Exhibit 3.*

The 28th Security Forces Squadron is the Base military police department. Ellsworth AFB also maintains its own fire department. The fire department provides a variety of fire prevention and safety, ambulance, paramedic, search and rescue, EMT and other services to residents. *See Exhibit 3.*

Ellsworth AFB has a full range of parks and recreation services that are available to its residents. The Base offers picnicking, basketball courts, playgrounds and ball fields and three lakes for fishing. The Pine Ridge Golf Course is a nine-hole course. Also available to residents are the Bandits Lanes Bowling Center, Bellamy Fitness Center (offering indoor and outdoor recreation activities including a Olympic-size pool), a trap and skeet range and a stable and

indoor and outdoor riding arenas. Ellsworth AFB also operates the Black Hills Community Center, the Ellsworth Youth Center and a Child Development Center.

18. As noted above, the Commission has previously held that military bases are sufficiently independent of their central cities to warrant a first local preference under the *Tuck* criteria. In fact, in *Newcastle*, the most recent Commission decision considering a military base, the Commission concluded that Warren Air Force Base was entitled to consideration as a first local service. The Commission noted that Warren AFB employed approximately 3,650 military personnel and 600 civilian employees, that it had its own weekly newspaper and a separate zip code, that it had several commercial establishments, that Government functions were performed by the United States Air Force and that it had its own public library. Based on the totality of those factors, the Commission found Warren AFB to be a first local service. 19 FCC Rcd at 19079. Comparing the facts of that case to this, the situations are almost duplicate and mandate the same conclusion. If anything, Ellsworth AFB has a stronger case for being declared a first local service. Like Warren AFB, Ellsworth AFB has its own library, weekly newspaper covering the community's local needs and interests and a separate zip code as well as several commercial establishments. Government functions are performed in both bases by the United States Air Force. It is hard to imagine a community that would be less likely to be considered a bedroom community interdependent with its central city than an Air Force base. Accordingly, based on the totality of the factors in this case, the Commission must conclude that Ellsworth AFB warrants a first local preference.

19. In deleting Channel 289C1 from Custer, there will be no loss area. However, there will be a gain area which will provide 60 dBu service to 26,020 people.

I. VACANT CHANNEL 285A, MURDO, SOUTH DAKOTA

20. In order to allot Channel 285C at Ellsworth AFB, Channel 283A must be substituted for Channel 285A at Murdo, South Dakota. As noted, high auction bidder College Creek has not yet received a construction permit for its Murdo facility, and it has filed an application for Channel 285C0. Channel 283A can be allotted at the allotment site as well as at the site proposed by College Creek in its pending application. Further, Channel 283C0 may be allotted at the proposed College Creek site. College Creek has consented to the channel change and will be amending its pending application to request a channel change to 285C0 at its proposed site. Keyhole again reiterates that, to the extent required by applicable Commission rules and policies, it will reimburse College Creek for its expenses incurred in making any required changes to its facility. Channel 283A or 283C0 can be allotted to Murdo in compliance with the Commission's spacing rules. *See* Figure 17 and 18.

J. VACANT CHANNEL 289A, WHEATLAND, WYOMING

21. In order to allot Channel 289C1 to Edgemont, Channel 298A must be substituted for Channel 289A at the existing allotment site. Channel 298A can be substituted for Channel 289A at Wheatland in compliance with the Commission's spacing rules except for its conflict with the proposal to add Channel 298A as an additional Wheatland allotment.

CONCLUSION

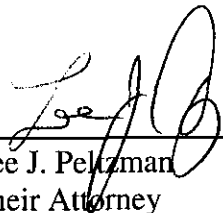
Grant of this counterproposal will serve the public interest. It will further the Commission's allotment priorities because it will result in first service to two separate communities while the original proposal will only add an additional service to an already well served community. Additionally, a net increase in 60 dBu service will be provided to 65, 283 persons. Accordingly, the Commission should grant this counterproposal.

Respectfully submitted,

KEYHOLE BROADCASTING, LLC

MOUNT RUSHMORE BROADCASTING, INC.

By: _____


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Their Attorney
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Dated: May 5, 2005



**ENGINEERING STATEMENT
IN SUPPORT OF A
COUNTERPROPOSAL**

MM DOCKET 05-98, RM-11187

**Keyhole Broadcasting, LLC
Mount Rushmore Broadcasting, Inc.**

Prepared by:

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May 2, 2005

ENGINEERING STATEMENT

In Support of a Counterproposal

MB Docket 05-98

Keyhole Broadcasting, LLC
Mount Rushmore Broadcasting, Inc.
Wheatland, WY

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17	Exhibit E, Figure 5	283C1 Upton, WY, 70 dBu Contour Map
18	Exhibit E, Figure 6	283C1 Upton, WY, Gain and Loss Area Map
19	Exhibit E, Figure 7	Allocation Study for 228A Upton, WY
20	Exhibit E, Figure 8	228A Upton, WY, 70 dBu Contour Map
21	Exhibit E, Figure 9	228A Upton, WY, Gain and Loss Area Map
22	Exhibit E, Figure 10	Allocation Study for 291A Moorcroft, WY
23	Exhibit E, Figure 11	Allocation Study for 260C2 Gillette, WY
24	Exhibit E, Figure 12	Allocation Study for 256A Pine Haven, WY
25	Exhibit E, Figure 13	Allocation Study for 299C Wall, SD
26	Exhibit E, Figure 14	Allocation Study for 285C Ellsworth AFB, SD
27	Exhibit E, Figure 15	285C Ellsworth AFB, 70 dBu Contour Map
28	Exhibit E, Figure 16	285C Ellsworth AFB, Gain and Loss Area Map
29	Exhibit E, Figure 17	Allocation Study for 283A (ALLO) Murdo, SD
30	Exhibit E, Figure 18	Allocation Study for 283C0 (APP) Murdo, SD
31	Exhibit E, Figure 19	Allocation Study for 298A Wheatland, WY

ENGINEERING STATEMENT

**In Support of a
Counterproposal
MB Docket 05-98**

Keyhole Broadcasting, LLC
Wheatland, WY

Introduction

Keyhole Broadcasting, LLC ("Keyhole"), licensee of Station KXXL(FM), Gillette, WY, and Mount Rushmore Broadcasting, Inc. ("Rushmore"), licensee of KAWK (FM) Custer, SD, (together, the "Joint Parties") hereby offer the instant engineering statement in support of their counterproposal to the *Notice of Proposed Rule Making*, DA 05-652 (rel. March 14, 2005) ("*NPRM*") in the above-captioned proceeding. The counterproposal is mutually exclusive to MB Docket 05-98, which proposes the allocation of channel 298A at Wheatland, WY, as that community's fifth local service¹.

All proposed spectrum modifications are first demonstrated by a channel or allocations study. The study shows the spacings to all known FM entries in the Commission's database, and it also establishes if additional spectrum modifications are required. Spectrum modifications that require antenna site relocations, class changes or community of license changes are followed by a series of maps demonstrating compliance with all current Commission allotment rules.

The Joint Parties' counterproposal creates first local service at Edgemont, SD (population 867) and first local service at Ellsworth Air Force Base ("Ellsworth AFB"), SD (population 4165), and is preferred as it creates two first local services under Priority 3 of the Commission's allotment priorities at Edgemont and Ellsworth AFB while the addition of 298A at Wheatland would only provide fifth local service under Priority 4 to a single community. The following is a summary of the changes proposed to the FM Table of Allotments (listed alphabetically by state):

¹ In addition to the three FM services already assigned to Wheatland, WY, AM station KYCN is also licensed to Wheatland.

City	Current	Proposed
Custer, SD	286C1	---- ²
Edgemont, SD	---	289C1
Murdo, SD	285C0 (app)	283C0 (app)
Ellsworth AFB, SD	---	285C
Wall, SD	288C	299C
Gillette, WY	245C1, 264C1, 280C2	245C1, 260C2, 264C1
Moorcroft, WY	228A	291A
Pine Haven, WY	260A	256A
Upton, WY	283A, 290C1	228A, 283C1
Wheatland, WY	269A, 289A, 293C1	269A, 293C1, 298A

The Joint Parties' counterproposal is presented first with a Methods section that demonstrates the end results and the spectrum changes, and sub changes where needed, required to implement the request. A section entitled Exhibits Explained follows this. It lists each technical exhibit and the data it documents.

² Custer will continue to be well served by KFCR AM.

Methods

- 1) **New 289C1 Edgemont, SD** The Joint Parties propose to add channel 289C1 at Edgemont, SD, as that community's first local service at an existing tower with coordinates N43-32-32, W104-04-12. The allotment of channel 289C1 at Edgemont at this site creates four shortspaces: a) A short space is created to a vacant allotment on channel 290C1 at Upton, WY of 100.69 kilometers. Substituting channel 283C1 at a modified site eliminates this short space. The sub changes required to allot channel 283C1 at Upton are discussed later. b) A short space is created to a vacant allotment on channel 288C at Wall, SD, of 51.62 kilometers. Substituting channel 299C at the existing allotment site eliminates this short space. c) A short space is created to KAWK on channel 286C1 at Custer, SD, of 29.43 kilometers. Deleting channel 286C1 from Custer and allocating channel 285C to Ellsworth AFB, SD, eliminates this short space. The sub change required to allot channel 285C at Ellsworth AFB is discussed later. d) A short space is created to a vacant allotment on channel 289A at Wheatland, WY of 19.66 kilometers. Substituting channel 298A at the existing allotment site eliminates this short space. The sub change required to allot channel 298A at Wheatland is discussed later.
- a) **ALLO 290C1 Upton, WY** Vacant channel 290C1 is the first of two vacant channels currently allotted to Upton. Channel 283C1 can be substituted at a modified site on an existing tower 8.5 kilometers northwest of Upton with coordinates N44-08-58, W104-42-28, in order to eliminate the short space with the proposed addition at Edgemont. The allotment of channel 283C1 at Upton creates two short spaces: i) A short space is created to the second vacant allotment at Upton on channel 283A of 191.38 kilometers. Substituting channel 228A with a site change at Upton eliminates the conflict. The sub change required to allot channel 228A at Upton is discussed later; ii) A short space is created to KXXL on channel 280C2 at Gillette, WY, of 17.99 kilometers. Substituting channel 260C2 at site eliminates the conflict. The sub change required to allot channel 260C2 at Gillette is discussed later.
- i) **ALLO 283A Upton, WY** Vacant channel 283A is the second of two vacant allotments at Upton, WY. Channel 228A can be substituted at a modified site with an

existing tower 8.5 kilometers northwest of Upton with coordinates N44-08-58, W104-42-28. The allotment of channel 228A at Upton creates a short space to the Construction Permit for a new station on channel 228A at Moorcroft, WY, of 92.49 kilometers. Substituting channel 291A at Moorcroft eliminates the conflict with no additional spectrum changes.

(1) **NEW CP 228A Moorcroft, WY**) The permitted facilities of a new station at Moorcroft, WY (BNPH-20050103AGC), would operate on channel 228A. Channel 291A can be substituted for channel 228A at site to eliminate the conflict with the proposed allotment of channel 228A at Upton. The Permittee of the Moorcroft facility has given its consent to a channel change and, although not required by the instant counter proposal, a site modification. No additional spectrum changes are required for this substitution since the instant counterproposal proposed a substitution of channel 283C1 for 290C1 at Upton above.

ii) **KXXL 280C2 Gillette, WY**) Keyhole, licensee of KXXL, proposes to substitute 260C2 at the station's licensed site. The allotment of channel 260C2 at Gillette creates a short space to a vacant allotment on channel 260A at Pine Haven, WY, of 112.04 kilometers. Substituting channel 256A for Pine Haven at site eliminates the conflict.

(1) **ALLO 260A Pine Haven, WY**) Vacant channel 260A is currently allotted to Pine Haven. Channel 256A can be substituted at the existing site with no additional spectrum changes.

b) **ALLO 288C Wall, SD**) Vacant channel 288C is allotted to Wall. Channel 299C can be substituted at the existing site with no additional spectrum changes.

c) **KAWK Custer, SD**) Presently, Rushmore operates KAWK on channel 286C1 licensed to Custer, SD. To eliminate the short space to the addition of channel 289C1 at Edgemont, the Joint Parties propose to delete channel 286C1 at Custer, SD, and allot channel 285C to Ellsworth AFB, SD, as that community's first local service. The addition of channel 285C at Ellsworth AFB is mutually exclusive with the existing

KAWK license on 286C1 at Custer by 209.0 kilometers and, thus, permits a mutually exclusive community of license change to occur. Currently channel 286C1 at Custer is used by KAWK, and Rushmore requests that its license be modified accordingly. The allotment of channel 285C at Ellsworth AFB creates a short space to the vacant channel on 285A at Murdo, SD, of 3.14 kilometers, and its associated pending one-step upgrade application to channel 285C0 of 39.78 kilometers (BNPH-20051230ACQ).

- i) **APP 285C0 Murdo, SD**) The vacant allotment for channel 285A Murdo, SD, was included in the recent FCC Auction 37. The high bidder in Auction 37 for this station, College Creek Broadcasting, Inc. ("College Creek"), has not yet received its Original Construction Permit for the facility (BNPH-20051230ACQ). Therefore, any proposed channel change involving an Auction 37 station herein must satisfy the spacing requirements of Section 73.207 at not only the original vacant allotment site (the "Original Allotment Site"), but also any preferred site(s) specified by any auction participant(s) that selected the station in the auction (the "Preferred Auction Site") as well as the site being proposed by the station's high bidder in its pending Application for Original Construction Permit (the "Proposed Original CP Site"). No Preferred Auction Sites were specified for this station in Auction 37. Therefore, the Joint Parties propose to eliminate the short spacing between the allotment of channel 285C at Ellsworth AFB and channel 285A/285C0 at Murdo by substituting channel 283A at the Original Allotment Site and substituting channel 283C0 at the Proposed Original CP Site with no additional spectrum changes. For the purposes of this Counterproposal, College Creek has given its consent to this channel change. In anticipation of a grant of the instant counterproposal, College Creek is contemporaneously amending its pending application to immediately request a one-step channel change to 283C0 (in lieu of 285C0) at its proposed site.

- d) **ALLO 289A Wheatland, WY**) Vacant channel 289A is currently allotted to Wheatland. Channel 298A can be substituted at the existing Wheatland site in order to eliminate the short space with the addition proposed herein at Edgemont. The allotment of a substitute channel 298A at Wheatland creates a short space to the proposed allotment of channel 298A as an additional allotment at Wheatland of 112.75 kilometers. **This is the MX point between the instant counterproposal and the NPRM.**

Exhibits Explained

Channel 289C1 Edgemont, SD

Exhibit E, Figure 1 is an allocation study showing the spacings to other stations if channel 289C1 is allocated to Edgemont, SD, as that community's first local aural service. The only short spacings shown are a vacant channel Upton, WY, on channel 290C1; a vacant channel at Wall, SD, on channel 288C; KAWK Custer, SD on 286C1; and a vacant channel at Wheatland, WY, on channel 289A. Exhibit E, Figure 2 shows the proposed city-grade contour for channel 289C1 from the proposed site. The city-grade contour easily covers 100% of Edgemont. Exhibit E, Figure 3 is a gain study that demonstrates the proposed areas that channel 289C1 will cover as a result of the proposed addition.

Channel 290C1 Upton, WY

In order to allocate channel 289C1 at Edgemont, the short spacing with vacant channel 290C1 in Upton, WY, must be eliminated. In order to alleviate this short spacing, it is proposed to substitute channel 283C1 for channel 290C1 at Upton at a modified site. Exhibit E, Figure 4 is an allocation study showing the proposed short spacing two facilities: the vacant channel on 283A also at Upton, WY, and KXXL 280C2 at Gillette, WY. Exhibit E, Figure 5 shows the proposed city-grade contour for channel 283C1 from the proposed site. The city-grade contour easily covers 100% of Upton, WY. Exhibit E, Figure 6 is a gain/loss study that demonstrates the proposed areas that channel 283C1 will cover and 290C1 will no longer cover as a result of the proposed relocation/substitution.

Channel 283A Upton, WY

In order to allocate channel 283C1 at Upton, the short spacing with the other vacant channel in Upton, WY, on channel 283A, must be eliminated. In order to alleviate this short spacing, it is proposed to substitute channel 228A for channel 283A at Upton with a site modification. Exhibit E, Figure 7 is an allocation study showing the proposed short spacing one facility: the Original Construction Permit for a new station on channel 228A at Moorcroft, WY (BNPH-20050103AGC). Exhibit E, Figure 8 shows the proposed city-grade contour for channel 228A from the proposed site. The city-grade contour easily covers 100% of Upton, WY. Exhibit E, Figure 9 is a gain/loss study that demonstrates the proposed areas that channel 228A will cover and 283A will no longer cover as a result of the proposed relocation/substitution.

Channel 228A Moorcroft, WY

In order to allocate channel 228A at Upton, the short spacing with the Original Construction Permit for a new station on channel 228A in Moorcroft, WY (BNPH-20050103AGC), must be eliminated. In order to alleviate this short spacing, it is proposed to substitute channel 291A for channel 228A at Moorcroft with no site change needed. Exhibit E, Figure 10 is an allocation study showing the proposed short spacing no other facilities.

Channel 280C2 Gillette, WY

In order to allocate channel 283C1 at Upton, the short spacing with vacant channel 280C2 in Gillette, WY, must be eliminated. In order to alleviate this short spacing, it is proposed to substitute channel 260C2 for channel 280C2 at Gillette with no site change needed. Exhibit E, Figure 11 is an allocation study showing the proposed short spacing one facility: the vacant channel on 260A at Pine Haven, WY.

Channel 260A Pine Haven, WY

In order to allocate channel 260C2 at Gillette, the short spacing with vacant channel 260A in Pine Haven, WY, must be eliminated. In order to alleviate this short spacing, it is proposed to substitute channel 256A for channel 260A at Pine Haven with no site change needed. Exhibit E, Figure 12 is an allocation study showing the proposed short spacing no other facilities.

Channel 288C Wall, SD

In order to allocate channel 289C1 at Edgemont, the short spacing with vacant channel 288C in Wall, SD, must be eliminated. In order to alleviate this short spacing, it is proposed to substitute channel 299C for channel 288C at Wall with no site change needed. Exhibit E, Figure 13 is an allocation study showing the proposed short spacing no other facilities.

Channel 286C1 Custer, SD

In order to allocate channel 289C1 at Edgemont, the short spacing with KAWK 286C1 in Custer, SD, must be eliminated. In order to alleviate this short spacing, it is proposed to delete channel 286C1 at Custer and allocate channel 285C at Ellsworth AFB, SD, as that community's first local aural service. Exhibit E, Figure 14 is an allocation study showing the proposed short spacing to the vacant channel on 285A and its associated one-step upgrade application to channel 285C0 at Murdo, SD (BNPH-20051230ACQ). Exhibit E, Figure 15 shows the proposed city-

grade contour for channel 285C from the proposed site. The city-grade contour easily covers 100% of Ellsworth AFB, SD. Exhibit E, Figure 16 is a gain/loss study that demonstrates the proposed areas that channel 285C will cover and 286C1 will no longer cover as a result of the proposed community change. It should be noted that the deletion of 286C1 from Custer will result in that community still retaining at least one local aural service: KFCR (AM) 1490 kHz.

Channel 285C0 Murdo, SD

In order to allocate channel 285C at Ellsworth AFB, the short spacing with the vacant allotment on channel 285A and its associated one-step upgrade application to channel 285C0 in Murdo, SD, must be eliminated. Therefore, the Joint Parties propose to eliminate the short spacing by substituting channel 283A at the Original Allotment Site and substituting channel 283C0 at the Proposed Original CP Site with no additional spectrum changes. Exhibit E, Figure 17 is an allocation study showing the proposed substitution of 283A at the Original Allotment Site short spacing no other facilities. Exhibit E, Figure 18 is an allocation study showing the proposed substitution of 293C0 at the Proposed Original CP Site short spacing no other facilities.

Channel 289A Wheatland, WY

In order to allocate channel 289C1 at Edgemont, the short spacing with vacant channel 289A in Wheatland, WY, must be eliminated. In order to alleviate this short spacing, it is proposed to substitute channel 298A for channel 289A at Wheatland with no site change needed. Exhibit E, Figure 19 is an allocation study showing the proposed short spacing one facility: the proposed addition of channel 298A as a new allotment at Wheatland, WY, in the NPRM. **This is point at which the instant counterproposal becomes mutually exclusive with the petition for rulemaking in MB Docket 05-98.**

Conclusion

The Joint Parties' counterproposal has demonstrated that it is in technical compliance with the present Commission Rules concerning such actions. The counterproposal produces two new first local services at Edgemont and Ellsworth AFB, SD, combined population of 5,032. The counterproposal creates a net increase in new 60-dBu service of 26,475 square kilometers, and it provides a new 60 dBu service to a net 65,283 persons.

Statement of the Consultant

The instant engineering portion of a counterproposal was prepared for the Joint Parties and supports a counterproposal to MM Docket 05-98, RM-11187. It was developed by Spanish Peaks Broadcasting, Inc. ("SPB") and may not be used for purposes other than submission to the Commission by the Joint Parties. It may not be reproduced in its entirety, or in part, by anyone (other than from the Commission) without the written consent of SPB.

The information in this application is compiled from the most recent Commission and outside data. SPB is not responsible for errors resulting from incorrect data or unpublished rule and procedure changes.

For Spanish Peaks Broadcasting, Inc.:

A handwritten signature in black ink, appearing to read "Kevin D. Terry", is enclosed within a rectangular box.

Kevin D. Terry
May 2, 2005

3046 E Dimple Dell Cir
Sandy, UT 84092
(801) 412-6080

ENGINEERING STATEMENT

In Support of a
Counterproposal
MM Docket 05-98

Summary of Channel Assignments

(Depicting all communities, channels, and modifications)

<u>COMMUNITY</u>	<u>PRESENT</u>	<u>PROPOSED</u>	<u>COMMENTS</u>
Edgemont, SD	-----	289C1	Add channel 289C1 at Edgemont, SD. The allocation of 289C1 will provide first local service to Edgemont with a population of 867 according to the 2000 US Census.
Upton, WY	283A, 290C1	228A, 283C1	Delete channel 290C1 at Upton and allocate channel 283C1 at Upton at a modified site. Delete channel 283A at Upton and allocate channel 228A at Upton at a modified site.
Moorcroft, WY	228A	291A	Delete channel 228A at Moorcroft and allocate channel 291A at Moorcroft at site.
Gillette, WY	245C1, 264C1, 280C2	245C1, 260C2, 264C1	Delete channel 280C2 at Gillette and allocate channel 260C2 at Gillette at site.
Pine Haven, WY	260A	256A	Delete channel 260A at Pine Haven and allocate channel 256A at Pine Haven at site.
Wall, SD	288C	299C	Delete channel 288C at Wall and allocate channel 299C at Wall at site.
Custer, SD	286C1, KFCR-AM	KFCR-AM	Delete channel 286C1 at Custer.
Ellsworth AFB, SD	-----	285C	Add channel 285C at Ellsworth AFB, SD. The allocation of 285C will provide first local service to Ellsworth AFB with a population of 4,165 according to the 2000 US Census
Murdo, SD	285A (VAC), 285C0 (APP)	283A (VAC) 283C0 (APP)	Delete channel 285A/285C0 at Murdo and allocate channel 283A/283C0 at the respective sites.
Wheatland, WY	269A, 289A, 293C1, KYCN AM	269A, 293C1, 298A, KYCN AM	Delete channel 289A at Wheatland and allocate channel 298A at Wheatland at site.

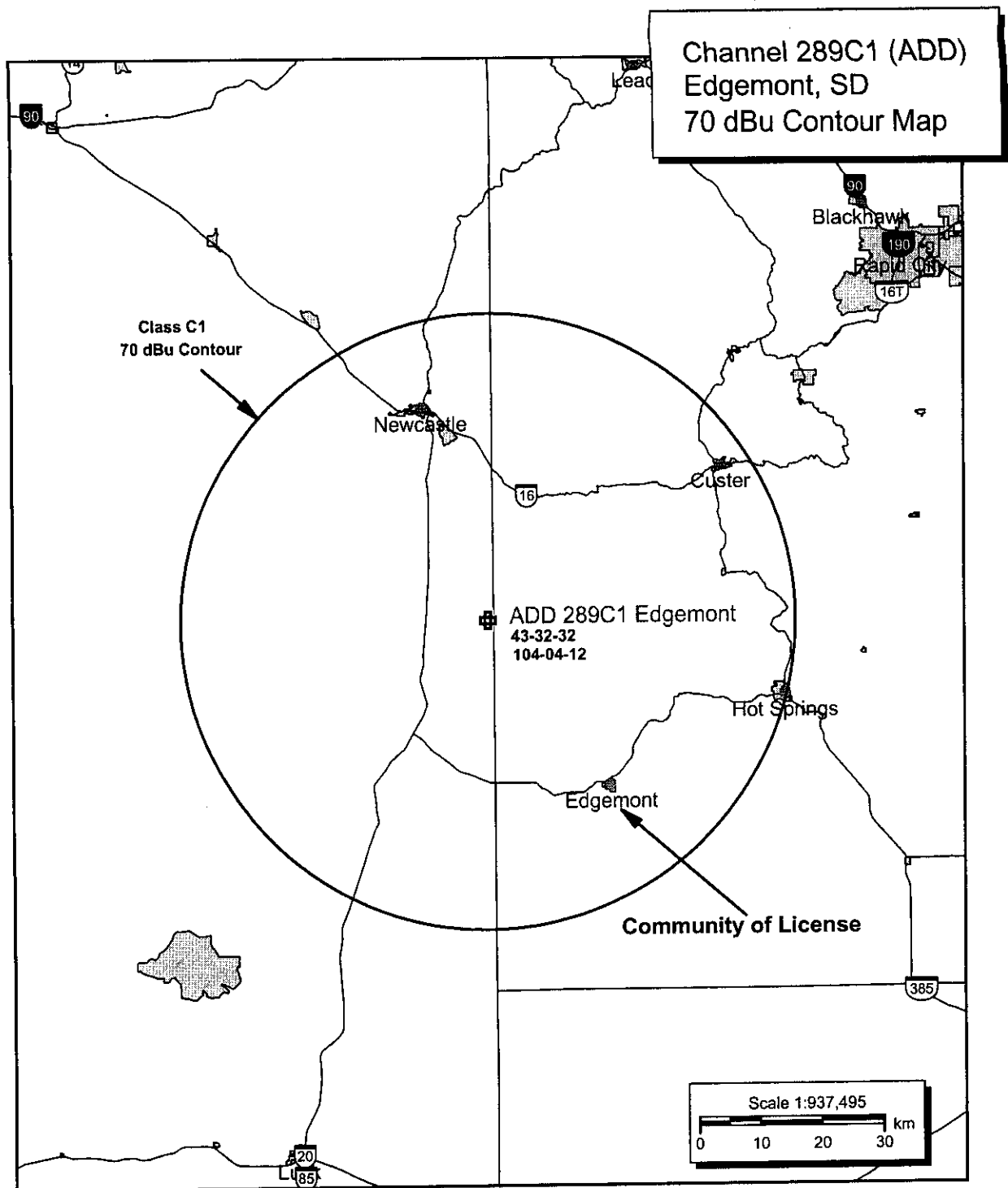
Table 1

**Engineering Statement
In Support of a Counterproposal
MB Docket 05-98**

**ADD 289C1 Edgemont, SD
Allocation Study**

REFERENCE		DISPLAY DATES
43 32 32 N	CLASS = C1	DATA 04-23-05
104 04 12 W	Current Spacings	SEARCH 05-02-05
----- Channel 289 - 105.7 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
	Community of Edgemont, SD	UT	33.33	143.4		
	Reference Coordinates: North Latitude: 43-18-04 West Longitude: 103-49-30					
AL290	VAC 290C1	Upton	WY	76.31	324.4	177.0 -100.69
	Of Concern: Channel 283C1 proposed as a substitution at a modified site in the instant counterproposal					
AL288	VAC 288C	Wall	SD	157.38	70.6	209.0 -51.62
	Of Concern: Channel 299C proposed as a substitution in the instant counterproposal					
KAWK	LIC 286C1	Custer	SD	52.57	64.4	82.0 -29.43
	Of Concern: Channel 286C1 proposed to be deleted from Custer and 285C allocated at New Underwood, SD, in the instant counterproposal					
AL289	VAC 289A	Wheatland	WY	180.34	203.8	200.0 -19.66
	Of Concern: Channel 298A proposed as a substitution in the instant counterproposal					
KZLK	LIC 292C1	Rapid City	SD	88.14	48.0	82.0 6.14
KAAQ	LIC 290C1	Alliance	NE	205.44	156.6	177.0 28.44
AL287	VAC 287A	Wright	WY	115.22	281.9	75.0 40.22
KHAD.C	CP 288C2	Mills	WY	202.63	244.7	158.0 44.63
KSQY	LIC 236C	Deadwood	SD	89.55	12.0	41.0 48.55



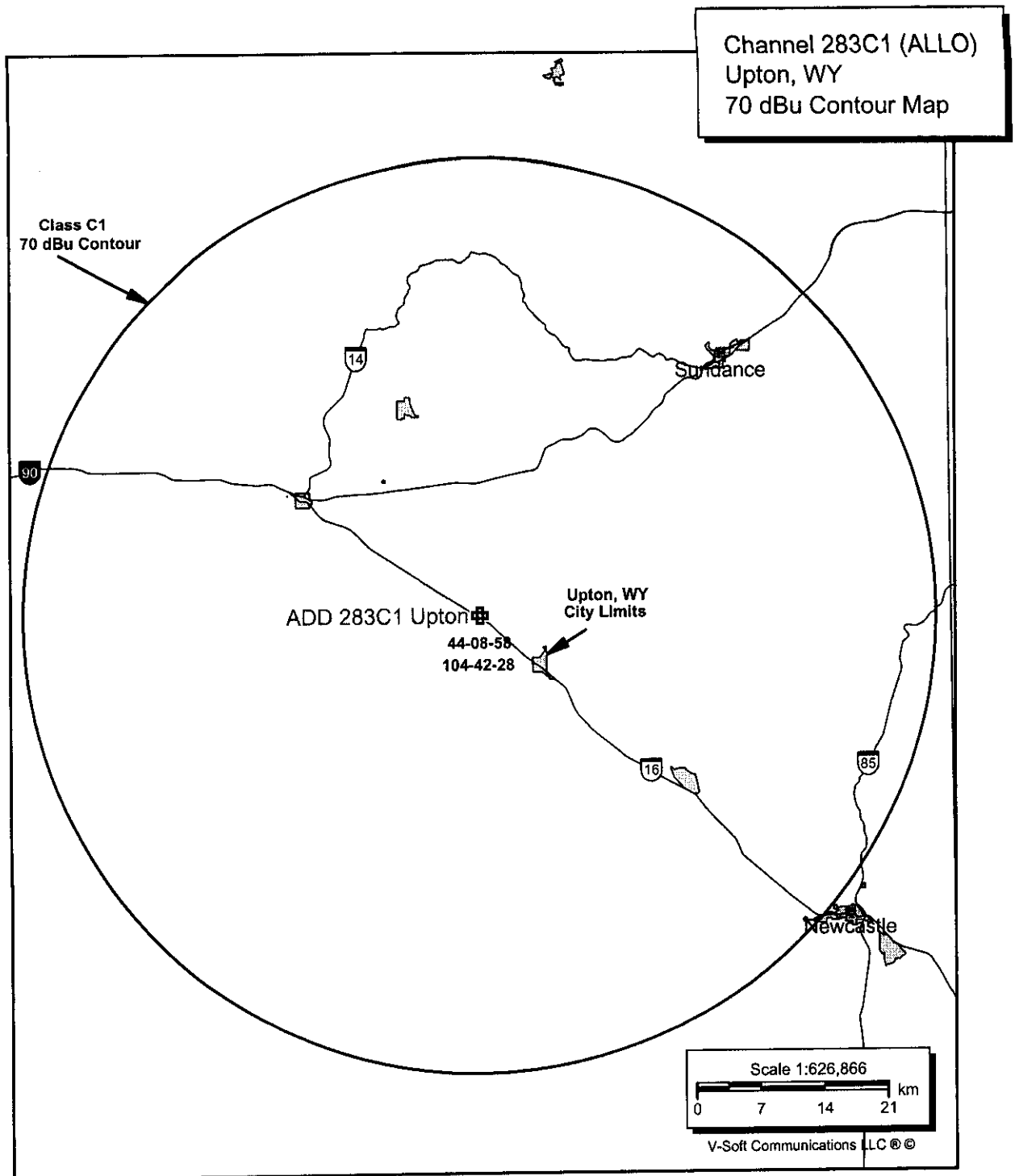
**Engineering Statement
In Support of a Counterproposal
MB Docket 05-98**

**Channel 283C1 (ALLO) Upton, WY
Allocation Study**

REFERENCE		CLASS = C1	DISPLAY DATES
44 08 58 N			DATA 04-23-05
104 42 28 W	Current	Spacings	SEARCH 05-02-05

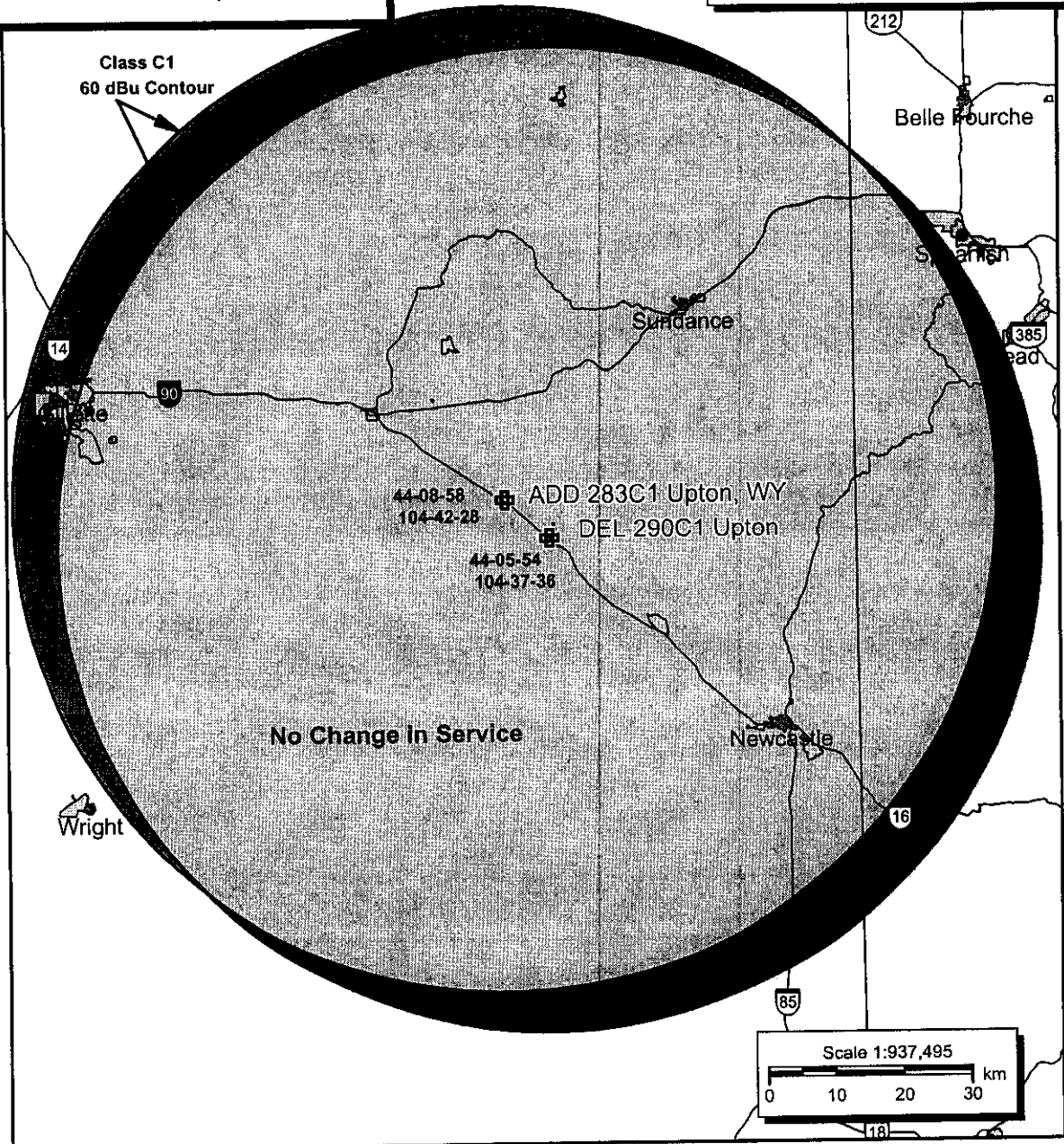
----- Channel 283 - 104.5 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
		Community of Upton	WY 8.47	130.6		
		Reference Coordinates:				
		North Latitude: 44-05-59				
		West Longitude: 104-37-39				
AL283	VAC 283A	Upton	WY 8.62	131.2	200.0	-191.38
		Of Concern:				
		Channel 228A proposed as a substitution in the instant counterproposal				
KXXL	LIC-Z 280C2	Gillette	WY 61.01	278.8	79.0	-17.99
		Of Concern:				
		Channel 260C2 proposed as a substitution in the instant counterproposal				
ADD285	PRO 285C	Ellsworth AFB	SD 108.25	114.2	105.0	3.25
		Of Note:				
		The addition of 285C Ellsworth AFB is proposed in the instant counterproposal.				
KTRSFM	LIC 284C1	Casper	WY 202.87	220.1	177.0	25.87
KAWK	LIC 286C1	Custer	SD 108.25	114.2	82.0	26.25
		Of Note:				
		The deletion of 286C1 Custer is proposed in the instant counterproposal.				
KIQK	LIC 281C1	Rapid City	SD 116.88	96.5	82.0	34.88



Population in Gain Area: 16,563
Gain Area: 1248 sq km
Population in Loss Area: 807
Loss Area: 1248 sq. km

Channel 283C1 (ALLO)
Upton, WY
Gain/Loss Study Map

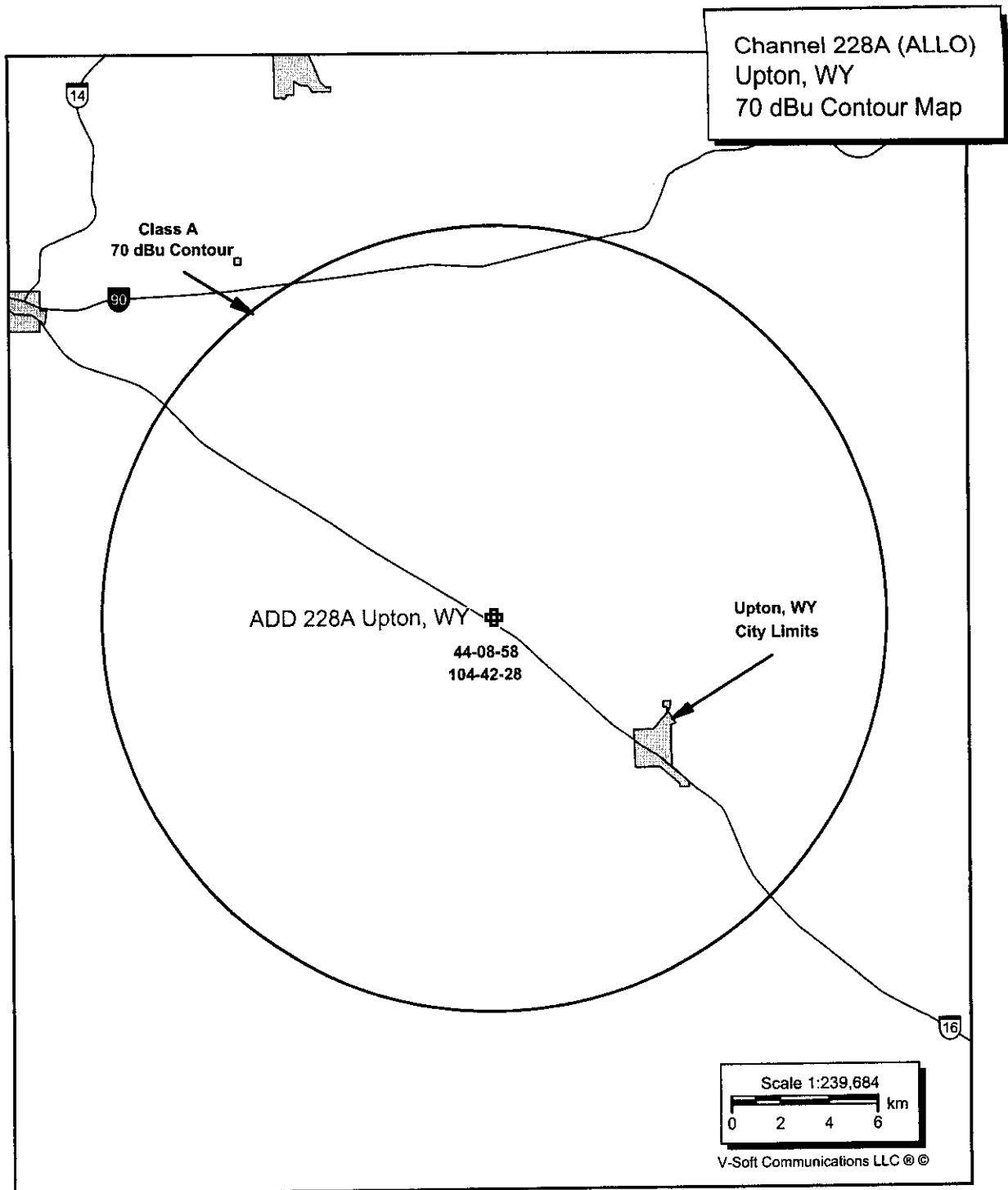


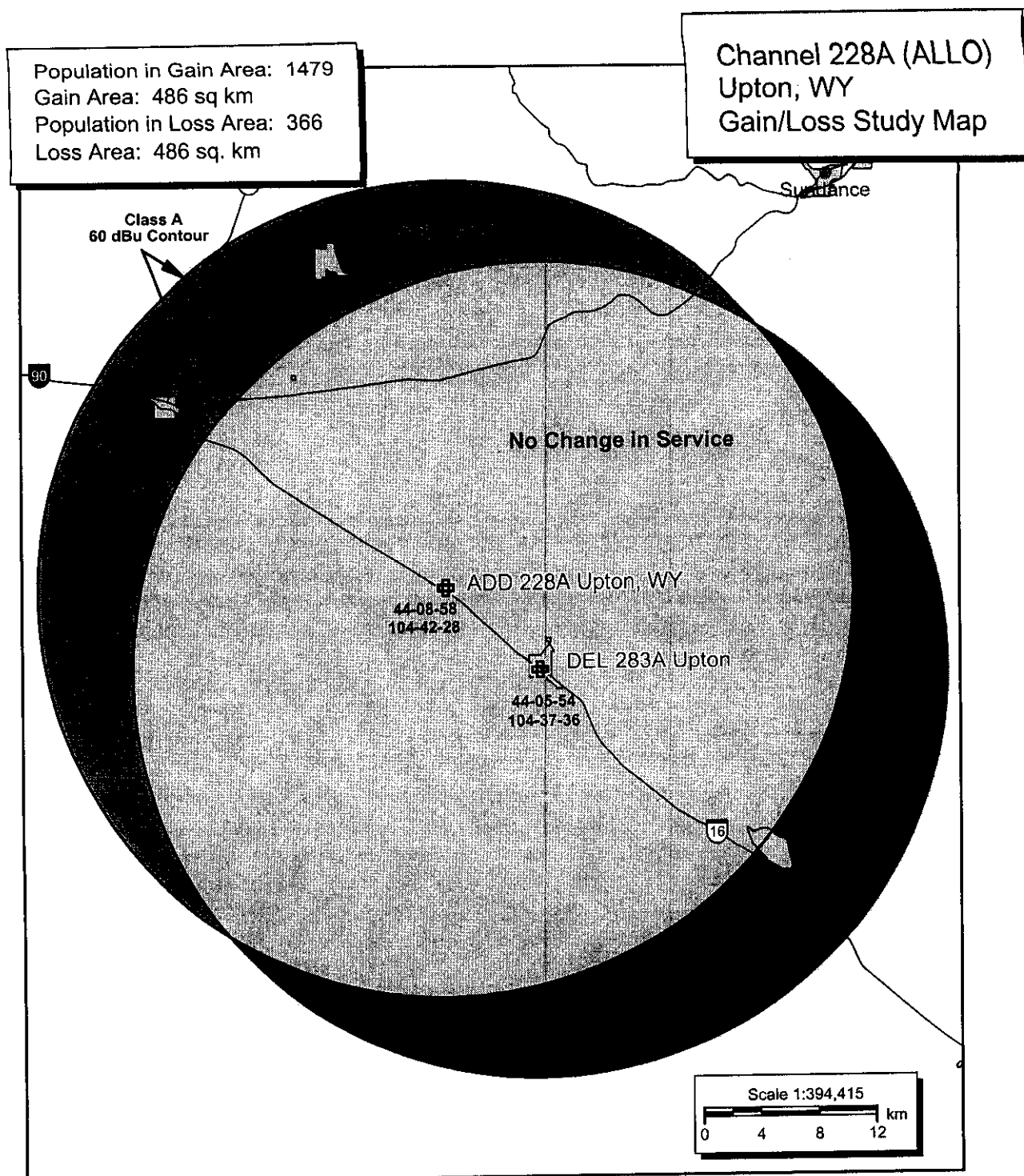
**Engineering Statement
In Support of a Counterproposal
MB Docket 05-98**

**Channel 228A (ALLO) Upton, WY
Allocation Study**

REFERENCE		CLASS = A	DISPLAY DATES
44 08 58 N			DATA 04-23-05
104 42 28 W		Current Spacings	SEARCH 05-02-05
----- Channel 228 - 93.5 MHz -----			

Call	Channel	Location	Dist	Azi	FCC	Margin
<hr/>						
	Community of Upton		WY 8.47	130.6		
	Reference Coordinates:					
	North Latitude: 44-05-59					
	West Longitude: 104-37-39					
<hr/>						
NEW .C CP	228A	Moorcroft	WY 22.51	307.0	115.0	-92.49
	Of Concern:					
	Channel 291A proposed as a substitution in the instant counterproposal					
<hr/>						
VA228	VAC 228A	Moorcroft	WY 23.34	303.5	115.0	-91.66
	Of Concern:					
	Channel 291A proposed as a substitution in the instant counterproposal					
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KRCS	LIC	226C	Sturgis	SD 95.57	77.2	95.0 0.57
AL228	VAC	228C1	Casper	WY 202.37	222.5	200.0 2.37
KYTI	LIC	229C	Sheridan	WY 198.95	286.2	165.0 33.95
KKMK	LIC	230C1	Rapid City	SD 117.61	95.1	75.0 42.61





Engineering Statement
In Support of a Counterproposal
MB Docket 05-98

Channel 291A (NEW CP) Moorcroft, WY
Allocation Study

REFERENCE		DISPLAY DATES
44 16 15 N	CLASS = A	DATA 04-23-05
104 56 00 W	Current Spacings	SEARCH 05-02-05
----- Channel 291 - 106.1 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin

AL290	VAC 290C1	Upton	WY 31.12	128.0	133.0	-101.88
Of Concern:						
Channel 283C1 proposed as a substitution in the instant counterproposal						
KZLK	LIC 292C1	Rapid City	SD 136.45	98.9	133.0	3.45
AD 289	PRO 289C1	Edgemont	SD 106.60	139.2	75.0	31.60

Of Note:
Channel 289C1 proposed to be added at Edgemont in the instant counterproposal

**Engineering Statement
In Support of a Counterproposal
MB Docket 05-98**

**AD 260C2 at Gillette, WY (KXXL)
Allocation Study**

REFERENCE		DISPLAY DATES
44 13 50 N	CLASS = C2	DATA 04-23-05
105 27 45 W	Current Spacings	SEARCH 04-25-05
----- Channel 260 - 99.9 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
AL260	VAC 260A	Pine Haven	WY 53.96	74.5	166.0	-112.04

Of Concern:

Channel 256A proposed as a substitution in the instant counterproposal

AL259	VAC 259A	Pine Haven	WY 53.96	74.5	106.0	-52.04
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Of No Concern:

Channel 260A substituted for channel 259A in MB Docket 03-258.

KYOD	LIC	261C1	Glendo	WY 163.39	173.1	158.0	5.39
KYOD.A	APP	261C1	Glendo	WY 163.39	173.1	158.0	5.39
AL258	RSV	258C0	Newcastle	WY 142.90	105.8	89.0	53.90
KRKI.C	CP	258C0	Newcastle	WY 142.98	105.8	89.0	53.98
KRKI	LIC	258A	Newcastle	WY 109.06	113.6	55.0	54.06

Engineering Statement
In Support of a Counterproposal
MB Docket 05-98

Channel 256A (ALLO) at Pine Haven, WY
Allocation Study

REFERENCE	CLASS = A	DISPLAY DATES
44 21 28 N	Current	DATA 04-23-05
104 48 36 W	Spacings	SEARCH 04-25-05
----- Channel 256 - 99.1 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
AL259	VAC 259A	Pine Haven	WY 0.00	0.0	31.0	-31.00
Of No Concern:						
Channel 260A substituted for channel 259A in MB Docket 03-258.						

AL258	RSV	258C0	Newcastle	WY	100.64	122.3	86.0	14.64
KRKI.C	CP	258C0	Newcastle	WY	100.72	122.3	86.0	14.72
AL255	VAC	255C1	Manville	WY	176.07	174.9	133.0	43.07
KRKI	LIC	258A	Newcastle	WY	75.14	140.8	31.0	44.14
KTPT.C	CP	202C	Rapid City	SD	77.88	92.1	29.0	48.88
KWYW.C	CP	256C	Lost Cabin	WY	275.43	249.3	226.0	49.43
KWYW	LIC	256C	Lost Cabin	WY	275.43	249.3	226.0	49.43
RDEL	DEL	256C	Lost Cabin	WY	275.65	249.3	226.0	49.65
KWYW.C	CP	256C	Lost Cabin	WY	275.65	249.3	226.0	49.65
KOUT	LIC	254C1	Rapid City	SD	128.68	103.9	75.0	53.68

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Channel 299C (ALLO) at Wall, SD
Allocation Study

REFERENCE		DISPLAY DATES
43 59 47 N	CLASS = C	DATA 04-23-05
102 13 07 W	Current Spacings	SEARCH 04-25-05
----- Channel 299 - 107.7 MHz -----		

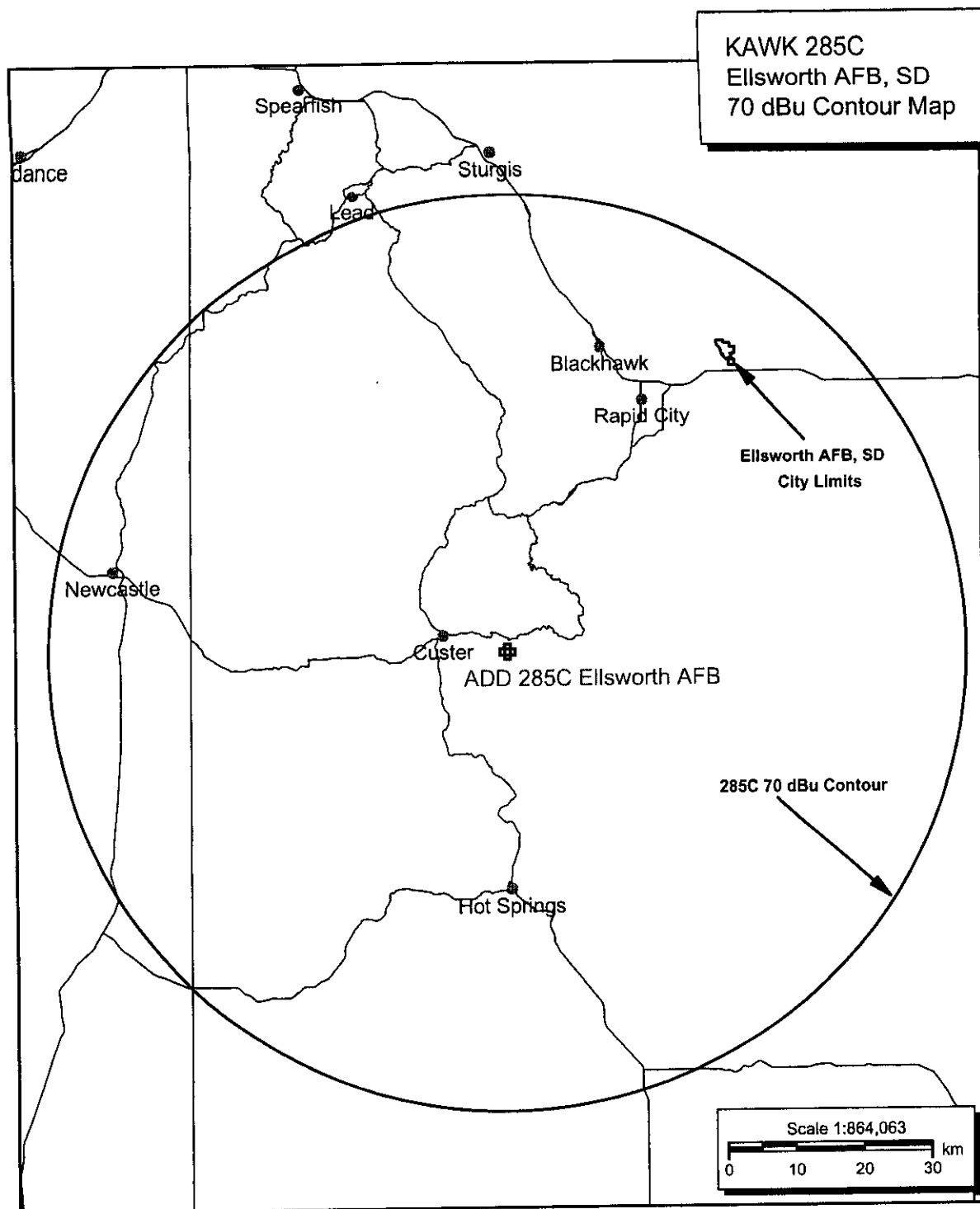
Call	Channel	Location	Dist	Azi	FCC	Margin
KSLT	LIC 297C	Spearfish	SD 134.38	286.5	105.0	29.38
VA298	VAC 298C	Cannon Ball	ND 295.96	24.2	241.0	54.96
AL300	VAC 300C1	Arthur	NE 266.63	171.9	209.0	57.63
KPSDFM	LIC 246C	Faith	SD 117.56	358.3	48.0	69.56
AP299	APP-N 299C2	Ipswich	SD 323.01	58.9	249.0	74.01
RS299	RSV 299C2	Ipswich	SD 323.10	59.6	249.0	74.10

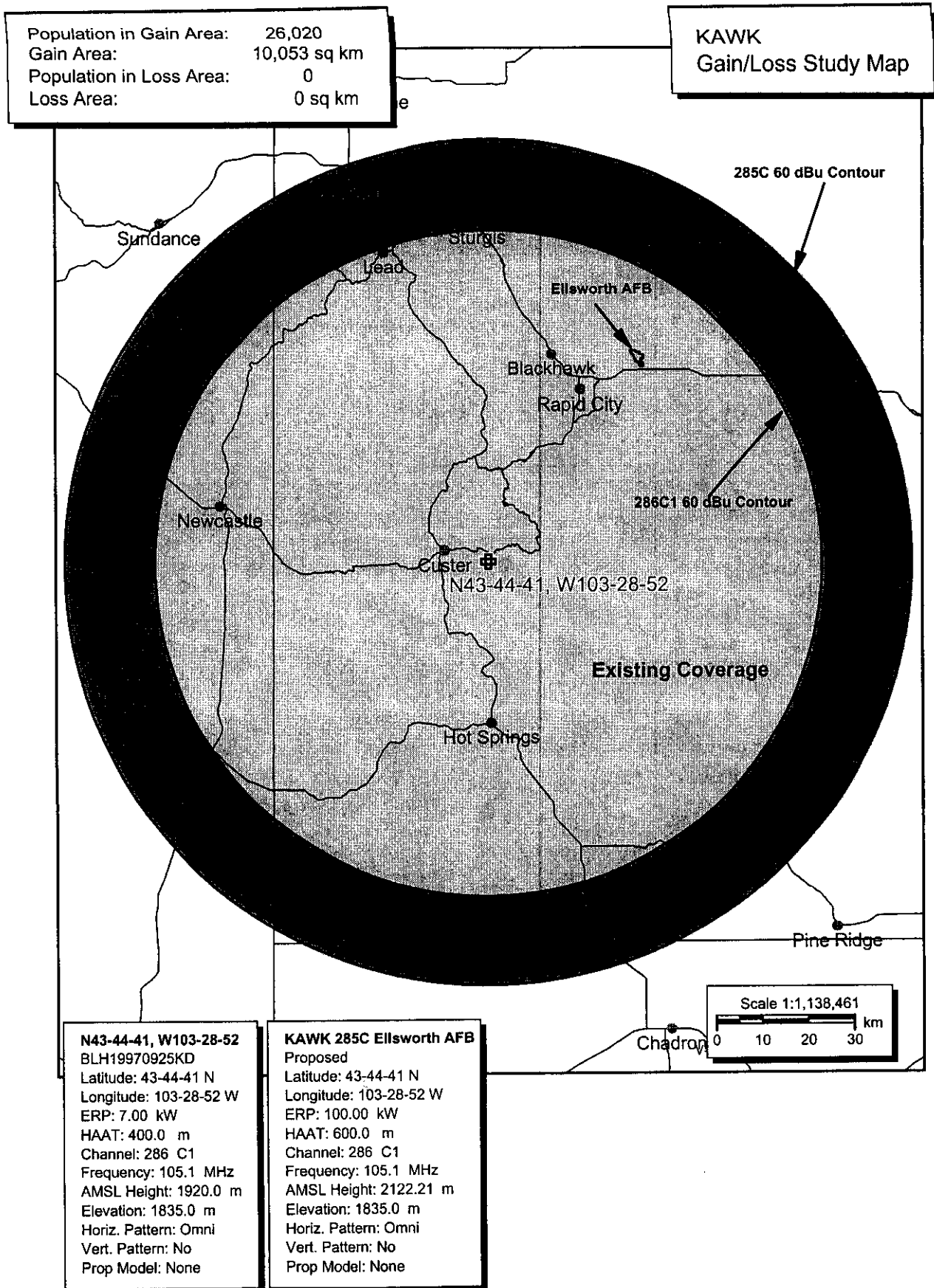
**Engineering Statement
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**KAWK 285C Ellsworth AFB, SD
Allocation Study**

REFERENCE	CLASS = C	DISPLAY DATES
43 44 41 N	Current	DATA 04-23-05
103 28 52 W	Spacings	SEARCH 05-02-05
----- Channel 285 - 104.9 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
Community of Ellsworth AFB, SD			55.23	36.2		
Reference Coordinates:						
North Latitude: 44-08-43						
West Longitude: 103-04-25						
KAWK	LIC 286C1	Custer	SD 0.00	0.0	209.0	-209.00
Of no Concern:						
Licensed coordinates of KAWK.						
RS285	RSV 285C0	Murdo	SD 241.22	74.5	281.0	-39.78
Of Concern:						
Channel 283C0 proposed as a substitution in the instant counterproposal						
AP285	APP 285C0	Murdo	SD 241.22	74.5	281.0	-39.78
Of Concern:						
Channel 283C0 proposed as a substitution in the instant counterproposal						
VA285	VAC 285A	Murdo	SD 222.86	84.9	226.0	-3.14
Of Concern:						
Channel 283A proposed as a substitution in the instant counterproposal						
AP285	APP 285A	Murdo	SD 222.86	84.9	226.0	-3.14
Of Concern:						
Channel 283A proposed as a substitution in the instant counterproposal						
RADD	PRO 283C1	Upton	WY 108.25	295.0	105.0	3.25
Of Note:						
Substitute channel at modified site proposed in instant counterproposal.						
RADD	ADD 285C2	Cheyenne	WY 282.98	200.7	249.0	33.98
KTRSFM	LIC 284C1	Casper	WY 255.06	245.0	209.0	46.06
KRRR	LIC-N 285C2	Cheyenne	WY 306.59	199.3	249.0	57.59
RDEL	DEL 285C2	Cheyenne	WY 306.59	199.3	249.0	57.59
AL287	VAC 287A	Wright	WY 160.20	270.8	95.0	65.20
KCYT	VAC 232C	Lead	SD 118.35	328.5	48.0	70.35





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ALLO 283A Murdo, SD
Original Vacant Allotment Site
Allocation Study

REFERENCE		DISPLAY DATES
43 53 24 N	CLASS = A	DATA 04-23-05
100 43 06 W	Current Spacings	SEARCH 05-02-05
----- Channel 283 - 104.5 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
RS285	RSV 285C0	Murdo	SD 45.60	15.2	86.0	-40.40
Of No Concern: Allotment site for One-Step Application Upgrade to 285C0 for instant Murdo facility.						
AP285	APP 285C0	Murdo	SD 45.60	15.2	86.0	-40.40
Of No Concern: Application Site for One-Step Application Upgrade to 285C0 for instant Murdo facility.						
VA285	VAC 285A	Murdo	SD 0.00	0.0	31.0	-31.00
Of No Concern: Instant Facility.						
AP285	APP 285A	Murdo	SD 0.00	0.0	31.0	-31.00
Of No Concern: College Creek Broadcasting, Inc. Preferred Auction Site for Instant Facility.						
KWYRFM	LIC 229C1	Winner	SD 95.27	133.6	22.0	73.27

**Engineering Statement
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**ALLO 283C0 Murdo, SD
Proposed Original Construction Permit Site
Allocation Study**

REFERENCE		DISPLAY DATES
44 17 09 N	CLASS = C0	DATA 04-23-05
100 34 04 W	Current Spacings	SEARCH 05-02-05
----- Channel 283 - 104.5 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
RS285	RSV 285C0	Murdo	SD 0.00	0.0	96.0	-96.00
Of No Concern:						
Allotment site for Instant Facility's One-Step Upgrade Application.						
AP285	APP 285C0	Murdo	SD 0.00	0.0	96.0	-96.00
Of No Concern:						
Instant Facility.						
VA285	VAC 285A	Murdo	SD 45.60	195.3	86.0	-40.40
Of No Concern:						
Instant Facility's Original Vacant Allotment Coordinates.						
AP285	APP 285A	Murdo	SD 45.60	195.3	86.0	-40.40
Of No Concern:						
College Creek Broadcasting, Inc. Preferred Auction Site for Instant Facility.						
KNDR	LIC 284C1	Mandan	ND 256.35	355.9	196.0	60.35